

FISCAL NOTE

HB 1201 - SB 1383

April 4, 2003

SUMMARY OF BILL:

1. Allows local education agencies (LEAs) to enter into a joint memorandum of understanding with juvenile courts for the establishment of juvenile justice alternative education programs which would:
 - outline the responsibilities of the juvenile court and the participating school system;
 - identify conduct for which a student may be placed in the juvenile alternative education program;
 - allow the juvenile courts to be compensated for services and expenses related to the court's interventions on behalf of juveniles;
 - establish services for transitioning students back to the regular school program; and
 - establish a transportation plan for students attending the alternative education programs;
 - establish continuation of proper special education services.
2. requires a personalized instructional program (PIP) to be developed and implemented for each student in the program with consideration given to the social and behavioral needs of the student. All credits earned by the student in the program would count as credits from the school system;
3. requires LEAs to establish alternative school programs for grades 7-12 not later than the 2003-2004 school year. Such programs shall be designed to function as short-term intervention programs. Present law requires the establishment of at least one alternative school for grades 7-12 and allows LEAs to establish alternative schools for students in grades 1-6.
4. requires the Commissioner of Education to encourage the establishment of juvenile justice alternative education programs and the State Board of Education is required to adopt rules for the distribution of funds to assure the quality and availability of specialized counseling, family intervention programs, psychiatric services and other services deemed necessary for the success of the program.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - Not Significant

Increase Local Govt. Expenditures - Exceeds \$1,000,000/Permissive

Assumes:

- a significant number of LEAs and juvenile courts will enter into agreements to establish or expand a juvenile justice alternative education program.
- any cost to the Department of Education or the State Board of Education will not be significant.

Note: The Department of Children's Services (DCS) has in the past funded five pilot juvenile education academies operated by LEAs in conjunction with juvenile courts. These programs were funded at \$200,000 each with declining funding over a three-year period. This funding ends June 30, 2003. In addition, in FY2002-03 the BEP funding formula generated approximately \$10,806,400 for alternative schools. Local systems, however, are not required to spend the funds as generated.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

James A. Davenport, Executive Director